

## Message Text

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 6877

INFO USDOC WASHDC

AMEMBASSY OTTAWA

AMCONSUL QUEBEC

UNCLAS MONTREAL 1734

E. O. 11652: N/A

TAGS: ECON, BGEN, CA

SUBJ: QUEBEC'S REGULATIONS ON LABELLING AND PUBLIC SIGNS

REF: MONTREAL 1538, OTTAWA 3582, AND PREVIOUS

1. ON OCTOBER 20, CONGEN OFFICER ATTENDED LUNCHEON MEETING OF THE CANADIAN IMPORTERS ASSOCIATION HELD TO DISCUSS QUEBEC'S DRAFT REGULATIONS ON LABELLING AND PUBLIC SIGNS/ADVERTISING. FERNAND LALONDE, QUEBEC CABINET MINISTER RESPONSIBLE FOR ADMINISTRATION OF LANGUAGE LEGISLATION, SPOKE AT THE MEETING AND ANSWERED QUESTIONS SUBMITTED IN WRITING.

2. IN HIS PREPARED REMARKS, DELIVERED PARTLY IN FRENCH AND PARTLY IN ENGLISH, LALONDE OUTLINED THE BACKGROUND OF LANGUAGE LEGISLATION IN QUEBEC. HE MADE IT CLEAR THAT SUBJECT REGULATIONS WILL BE ENFORCED BUT SAID THE APPROACH WILL BE FLEXIBLE AND PRAGMATIC. HE ASSURED HIS AUDIENCE THAT THE REGIE DE LA LANGUE FRANCAISE (FRENCH LANGUAGE BOARD) WILL NOT SEEK TO HINDER BUSINESS ACTIVITIES BY INDISCRIMINATE LEGAL SUITS AGAINST FIRMS WHICH TAKE HONEST MEASURES TO COMPLY WITH THE REGULATIONS. RATHER, THE REGIE WILL CONCENTRATE ON ACTIONS AGAINST THOSE FIRMS WHICH DISPLAY "HOSTILE OPPOSITION" TO THE LAW AND REGULATIONS.

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3. IN REPLIES TO SPECIFIC QUESTIONS, LALONDE GAVE THE FOLLOWING

INTERPRETATIONS:

A) LABELS IN TWO PANELS, ONE IN FRENCH AND THE OTHER IN ENGLISH, ARE PERMISSIBLE SO LONG AS FRENCH MAINTAINS A POSITION OF AT LEAST EQUAL PROMINENCE;

B) BILLS OF LADING, OPERATING MANUALS, WARRANTY AND SAFETY NOTICES, ETC., ARE COVERED BY THE REGULATIONS AND MUST APPEAR IN FRENCH;

C) LABELS ON SPARE PARTS TO BE USED BY A FACTORY IN REPAIRS AND NOT FOR RESALE AS SUCH TO END-USERS MUST BE IN FRENCH UNLESS THEY FALL WITHIN THE EXCEPTION IN SECTION 8(C). THE REASON IS THAT THE FRANCOPHONE WORKER IN THE FACTORY MUST BE ABLE TO READ THE LABEL IN HIS LANGUAGE;

D) CATALOGS DISTRIBUTED TO DEALERS ONLY AND NOT TO THE GENERAL PUBLIC MUST COMPLY WITH THE GENERAL RULE ABOUT CATALOGS;

E) IMPORTS INTO CANADA MUST COMPLY WITH THE LABELLING REGULATIONS UNLESS THEY ARE COVERED BY SECTION 8(A). HE STRESSED THAT 8(A) APPLIES ONLY TO GOODS IN VERY LIMITED USAGE.

4. CONGEN OFFICER ASKED WHETHER RAW COTTON AND RAW TOBACCO, BOTH OF WHICH ARE IMPORTED FOR INCORPORATION INTO FINISHED PRODUCTS, ARE COVERED BY EXCEPTION IN SECTION 8(C) OF LABELLING REGULATIONS. LALONDE SAID BOTH PRODUCTS "WOULD SEEM TO BE COVERED" BY THIS SECTION BUT THAT HE DID NOT WANT TO GIVE LEGAL OPINION. WE HAVE ASKED ATTORNEY ROBICHAUD OF THE REGIE FOR MORE DEFINITIVE RULING AND WILL TRANSMIT FURTHER INFORMATION WHEN AVAILABLE.

5. CONGEN OFFICER ALSO ASKED ABOUT LABELLING REQUIREMENTS FOR SHIPPING CONTAINERS FOR IMPORTED BULK FRESH FRUIT/PRODUCE. LALONDE DID NOT SELECT THIS QUESTION FOR REPLY. WE QUERIED ROBICHAUD AND HIS REPLY WAS THAT IF THE CASES OR CRATES ARE LABELLED, FRENCH REQUIREMENT APPLIES. HOWEVER, HE HAS NOT INFORMED US WHETHER SUCH CONTAINERS, WHICH ARE USUALLY TRUCKED TO QUEBEC, MUST BE LABELLED AT ALL.

6. LALONDE MADE IT CLEAR THAT THE FINAL TEXT OF THE REGULATIONS WILL INCLUDE ALL EXCEPTIONS TO THE LABELLING AND ADVERTISING REQUIREMENTS AND THAT NO REPEAT NO SPECIAL OR INDIVIDUAL EXCEPTIONS WILL BE MADE. HE ESTIMATED FINAL TEXT OF REGULATIONS WILL BE RELEASED BY MID-DECEMBER 1975. REFERRING TO THE EXCEPTION PROVIDED FOR WORDS MOLDED IN, BAKED OR PRINTED ON A PRODUCT, SUCH UNCLASSIFIED

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AS ON, OFF VOLUME ON STEREO AND TV SETS, LALONDE SAID PROVINCE LOOKS WITH FAVOR ON FIRMS WHICH COMPLY VOLUNTARILY WITH THE REQUIREMENT DESPITE THE FACT PRODUCT MAY BE COVERED BY AN EXCEPTION. HE REMINDED THE AUDIENCE THAT SUBSEQUENT LEGISLATION COULD ALWAYS REMOVE SOME OF THE EXCEPTIONS PROVIDED IN SUBJECT REGULATIONS.

7. IN RECENT DISCUSSION WITH ROBICHAUD, HE SAID REGIE WILL GIVE

ADVANCE OPINION ON ACCEPTABILITY OF LABELS. HE ALSO SAID THAT  
ALTHOUGH REGIE WILL NOT ASSIST WITH ROUTINE TRANSLATIONS OF  
LABELS, IT WILL ASSIST IN CASES INVOLVING HIGHLY TECHNICAL  
TERMS OR OTHER UNUSUAL DIFFICULTIES.  
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